

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application)
)
 of)
)
 WAI'OLA O MOLOKA'I, INC.)
)
 For review and approval of rate)
 increases; revised rate schedules;)
 and revised rules.)

DOCKET NO. 2009-0049

PUBLIC UTILITIES
COMMISSION

2009 DEC -9 A 10:02

FILED

**COUNTY OF MAUI'S SUPPLEMENTAL INFORMATION REQUESTS TO
WAI'OLA O MOLOKA'I, INC.**

and

CERTIFICATE OF SERVICE

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DEPARTMENT OF THE CORPORATION
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Attorneys for County of Maui

**COUNTY OF MAUI'S SUPPLEMENTAL INFORMATION REQUESTS TO
WAI'OLA O MOLOKA'I, INC.**

COUNTY OF MAUI (the "County"), by and through its attorneys, BRIAN T. MOTO, Corporation Counsel, JANE E. LOVELL, Deputy Corporation Counsel, and BRONSTER HOSHIBATA, submits its Supplemental Information Requests to Wai'Ola O Moloka'i, Inc. ("WOM") as follows:¹

County-IR-21:

Please describe in detail and provide documents and information concerning the accounts payable amount of \$16,328 listed on WOM's Balance Sheet dated December 31, 2008 (contained in the Audited Financial Statements for December 31, 2008).

County-IR-22:

Please describe in detail and provide documents and information explaining the amount owing of \$5,472,065 to WOM's parent company, Molokai Properties, Ltd. ("MPL") and affiliates as reflected on WOM's Balance Sheet dated December 31, 2008 (contained in the Audited Financial Statements for December 31, 2008).

¹ In response to the County's Information Requests filed and served November 12, 2009, WOM objected to the majority of the County's requests on the grounds of relevance, unreasonably broadening the issues, and unduly delaying this proceeding. The County disagrees with WOM's objections and pursuant to the procedural order filed November 6, 2009, the County will be proposing to meet and confer with counsel for WOM to attempt to work through these issues. If necessary, the County will file a motion to compel and if granted, reserves its right to supplement its Information Requests based on the information disclosed by WOM.

County-IR-23:

Please explain why MPL entered into an agreement with DHHL to purchase water for DHHL and why MPL allocated the cost of \$106,701 to WOM for water as set forth in notes 4 and 6 of WOM's Audited Financial Statements for December 31, 2008.

County-IR-24:

Please explain how expenses relating to salaries and wages were allocated from MPL as noted in the Audited Financial Statements for December 31, 2008.

County-IR-25:

Please identify all WOM employees and whether these employees are also employed by MPL and affiliated companies, including but not limited to, Moloka'i Public Utilities, Inc. and Mosco, Inc.

County-IR-26:

Please identify and explain the allocated expenses from MPL which are noted in note 6 as "Other" expenses of \$29,447 in the Audited Financial Statements for December 31, 2008.

County-IR-27:

Please identify and explain the professional fees of \$18,557 which are reflected on WOM's Statement of Operations for the year ending December 31, 2008 (contained in the Audited Financial Statements for December 31, 2008).

County-IR-28:

Please explain whether any affiliated companies, including but not limited to, MPL, have noted or claimed any depreciated costs on its financial statements

or income tax returns for WOM's property and plant which, according to WOM's Audited Financial Statements, includes reservoir, pipes, water meters, and other.

County-IR-29:

Please identify and explain the depreciated cost of "Other" of \$20,175 as noted on note 3 of WOM's Audited Financial Statements.

County-IR-30:

Please explain the expenses of \$20,197 identified as "Other" on WOM's Statement of Operations as reflected in WOM's Audited Financial Statements for the year ending December 31, 2008.

County-IR-31:

Please identify and describe the terms of the "effective verbal agreement prior to July 1, 2008" as referenced in note 5 of WOM's Audited Financial Statements for the year ending December 31, 2008.

County-IR-32:

Please provide any documents discussing or pertaining to the "Commercial Lease" between MPL and WOM, and the "effective verbal agreement prior to July 1, 2008."

County-IR-33:

Identify when the "Commercial Lease" with MPL was executed by representatives of MPL and WOM.

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DATED: Honolulu, Hawaii, December 9, 2009.



MARGERY S. BRONSTER
JEANNETTE H. CASTAGNETTI
MARGUERITE S. NOZAKI
Bronster Hoshibata

BRIAN T. MOTO
JANE E. LOVELL
EDWARD S. KUSHI, JR.
Department of the Corporation Counsel

Attorneys for County of Maui

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_____)	

CERTIFICATE OF SERVICE

Pursuant to Hawaii Administrative Rules § 6-61-21(d), the undersigned certifies that a true and correct copy of the foregoing document was duly served on the following parties on December 9, 2009, 2009, at their last known addresses in the manner specified below:

MICHAEL H. LAU, ESQ.
YVONNE Y. IZU, ESQ.
SANDRA L. WILHIDE, ESQ.
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Attorneys for Applicant
MOLOKAI PUBLIC UTILITIES, INC.

HAND DELIVERY

DEAN NISHINA
Executive Director
Consumer Advocate
Department of Commerce and Consumer Affairs
Division of Consumer Advocacy
335 Merchant Street, Room 326
Honolulu, Hawaii 96813

HAND DELIVERY
(3 copies)

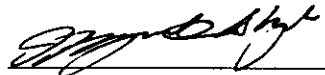
CHERYL SAKAMOTO
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Intervenor STAND FOR WATER

U.S. MAIL

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Attorney for MOLOKAI PROPERTIES, LTD.

HAND DELIVERY

DATED: Honolulu, Hawaii, December 9, 2009.



MARGERY S. BRONSTER
JEANNETTE H. CASTAGNETTI
MARGUERITE S. NOZAKI
Bronster Hoshibata

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